

U.S. DISTRICT COURT
U.S. District Court, Western District of New York (Buffalo)
CIVIL DOCKET FOR CASE #: 1:17-cv-00276-LJV-LGF

Jabar v. U.S. Department of Homeland Security Transportation
 Security Administration
 Assigned to: Hon. Lawrence J. Vilaro
 Referred to: Hon. Leslie G. Foschio
 Related Case: 1:17-cv-00301-LJV-LGF
 Cause: 05:552 Freedom of Information Act

Date Filed: 03/29/2017
 Jury Demand: None
 Nature of Suit: 895 Freedom of
 Information Act
 Jurisdiction: U.S. Government Defendant

Plaintiff**Steve S. Jabar**

represented by **Steve S. Jabar**
 57 Birkdale
 Cheektowaga, NY 14225
 PRO SE

V.

Defendant

U.S. Department of Homeland Security
Transportation Security
Administration

represented by **Michael S. Cerrone**
 U.S. Attorney's Office
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
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| 03/29/2017 | <u>1</u> | COMPLAINT against U.S. Department of Homeland Security Transportation Security Administration, filed by Steve S. Jabar.(KM) (Additional attachment(s) added on 3/31/2017: # <u>1</u> Civil Cover Sheet) (KM). (Entered: 03/31/2017) |
| 03/29/2017 | | Filing fee received: \$ 400.00, receipt number BUF054758 (KM) (Entered: 03/31/2017) |
| 03/31/2017 | | Plaintiff mailed the Consent forms and Privacy notice. (KM) (Entered: 03/31/2017) |
| 04/12/2017 | <u>2</u> | NOTICE of Appearance by Michael S. Cerrone on behalf of U.S. Department of Homeland Security Transportation Security Administration (Cerrone, Michael) (Entered: 04/12/2017) |
| 04/18/2017 | <u>3</u> | CERTIFICATE OF SERVICE by Steve S. Jabar. (KM) (Entered: 04/19/2017) |
| 05/11/2017 | <u>4</u> | ANSWER to <u>1</u> Complaint by U.S. Department of Homeland Security Transportation Security Administration.(Cerrone, Michael) (Entered: 05/11/2017) |
| 05/12/2017 | | AUTOMATIC REFERRAL to Mediation. Please note this entry was inadvertently not docketed at time of case opening. The ADR Plan is available for download at http://www.nywd.uscourts.gov/alternative-dispute-resolution (KM) (Entered: 05/12/2017) |
| 07/05/2017 | <u>5</u> | MOTION for a Vaughn Index by Steve S. Jabar. (Attachments: # <u>1</u> Memorandum in Support)(KM) (Entered: 07/07/2017) |
| 07/31/2017 | <u>6</u> | DECLARATION filed by U.S. Department of Homeland Security Transportation Security Administration . (Cerrone, Michael) (Entered: 07/31/2017) |

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| 11/17/2017 | <u>7</u> | TEXT REFERRAL ORDER (DISPOSITIVE) – Hon. Leslie G. Foschio, United States Magistrate Judge, is hereby designated to act in this case as follows: Pursuant to 28 U.S.C. § 636(b)(1)(A) and (B), all pre-trial matters in this case are referred to the above-named United States Magistrate Judge, including but not limited to: (1) conduct of a scheduling conference and entry of a scheduling order pursuant to Fed. R. Civ. P. 16, (2) hearing and disposition of all non-dispositive motions or applications, (3) supervision of discovery, and (4) supervision of all procedural matters involving the aforementioned or involving the preparation of the case or any matter therein for consideration by the District Judge. The Magistrate Judge shall also hear and report upon dispositive motions for the consideration of the District Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). All motions or applications shall be filed with the Clerk and made returnable before the Magistrate Judge. The parties are encouraged to consider the provisions of 28 U.S.C. § 636(c) governing consent to either partial or complete disposition of the case, including trial if necessary, by the Magistrate Judge. Consent forms are available from the office of the Magistrate Judge or the office of the Clerk of Court. IT IS SO ORDERED. Issued by Hon. Lawrence J. Vilardo on 11/17/2017. (CMD) (Entered: 11/17/2017) |
| 11/20/2017 | <u>8</u> | ORDER. Scheduling Conference set for 1/3/2018 11:30 AM before Hon. Leslie G. Foschio. Signed by Hon. Leslie G. Foschio on 11/20/2017. (SDW)(Copy of Order mailed to Pro Se Plaintiff) (Entered: 11/20/2017) |
| 01/03/2018 | <u>9</u> | Minute Entry for proceedings held before Hon. Leslie G. Foschio: Scheduling Conference held on 1/3/2018. Case management order discussed, same to be filed by the court. Pltf shall file, with consent of Deft, motion to opt out of ADR not later than 1/26/2018. Appearances: Pltf: Michael Kuzma, Esq., Steve Jabar; Dft–AUSA Michael Cerrone, Esq. (Court Reporter FTR Gold.) (SDW) (Entered: 01/03/2018) |
| 01/04/2018 | <u>10</u> | SCHEDULING ORDER (Please Note: This docket text may <u>not</u> contain the entire contents of the attached Order. It is your responsibility to read the attached Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.)(Defendant shall file its Vaughn index on or before 8/21/2018. Defendant shall release to plaintiff non-exempt documents responsive to plaintiffs Freedom of Information Act (FOIA) request on or before 8/31/2018. Dispositive Motions due by 9/28/2018. Signed by Hon. Leslie G. Foschio on 1/4/2018. (SDW)(Copy of Scheduling Order mailed to Pro Se Plaintiff) (Entered: 01/04/2018) |
| 08/29/2018 | <u>11</u> | DECLARATION signed by Douglas E. Blair filed by U.S. Department of Homeland Security Transportation Security Administration . (Cerrone, Michael) (Entered: 08/29/2018) |
| 08/29/2018 | <u>12</u> | DECLARATION signed by Teri M. Miller filed by U.S. Department of Homeland Security Transportation Security Administration . (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J)(Cerrone, Michael) (Entered: 08/29/2018) |
| 09/27/2018 | <u>13</u> | MOTION to Dismiss by U.S. Department of Homeland Security Transportation Security Administration.(Cerrone, Michael) (Entered: 09/27/2018) |
| 09/27/2018 | <u>14</u> | MEMORANDUM IN SUPPORT re <u>13</u> MOTION to Dismiss by U.S. Department of Homeland Security Transportation Security Administration. (Cerrone, Michael) (Entered: 09/27/2018) |
| 09/27/2018 | <u>15</u> | STATEMENT OF FACTS (<i>Statement of Undisputed Facts</i>) by U.S. Department of Homeland Security Transportation Security Administration Related document: <u>13</u> Motion to Dismiss. (Cerrone, Michael) (Entered: 09/27/2018) |
| 09/27/2018 | <u>16</u> | DECLARATION signed by Douglas E. Blair re <u>13</u> MOTION to Dismiss filed by U.S. Department of Homeland Security Transportation Security Administration . (Cerrone, Michael) (Entered: 09/27/2018) |
| 09/27/2018 | <u>17</u> | DECLARATION signed by Teri M. Miller re <u>13</u> MOTION to Dismiss filed by U.S. Department of Homeland Security Transportation Security Administration (w/ <i>Exhibits A–J</i>). (Cerrone, Michael) (Entered: 09/27/2018) |
| 09/27/2018 | <u>18</u> | ORDER re <u>13</u> MOTION to Dismiss filed by U.S. Department of Homeland Security Transportation Security Administration. Responses due by 10/29/2018., Replies due by 11/13/2018. Signed by Hon. Leslie G. Foschio on 9/27/2018. (SDW) (Copy of |

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| | | Order mailed to Pro Se Plaintiff at 57 Birkdale, Cheekotwaga, New York) (Entered: 09/28/2018) |
| 10/22/2018 | <u>19</u> | MOTION for Additional Time to resond to Defendant's Motion for Summary Judgment. by Steve S. Jabar.(KM) (Entered: 10/24/2018) |
| 10/25/2018 | <u>20</u> | DECLARATION signed by Michael S. Cerrone filed by U.S. Department of Homeland Security Transportation Security Administration . (Cerrone, Michael) (Entered: 10/25/2018) |
| 10/25/2018 | 21 | TEXT ORDER granting <u>19</u> Motion to Extend time to respond to <u>13</u> Defendant's motion to dismiss. Plaintiff's response due 12/21/2018; Defendant's reply, if any, due 1/11/2019. Issued by Hon. Leslie G. Foschio on 10/25/2018. (SDW)(Copy of Text Order mailed to Pro Se Plaintiff at 57 Birkdale Road, Cheektowaga, New York) (Entered: 10/25/2018) |
| 12/20/2018 | <u>22</u> | NOTICE OF MOTION for Summary Judgment by Steve S. Jabar. (Attachments: # <u>1</u> Memorandum of Law in Support)(KM) (Entered: 12/26/2018) |
| 12/20/2018 | <u>23</u> | PLAINTIFF'S Statement of Material, Undisputed Facts and Response to Defendants' Statement of Undisputed Facts pursuant to Local Rule 56 by Steve S. Jabar. (KM) (Entered: 12/26/2018) |
| 12/27/2018 | <u>24</u> | First MOTION for Extension of Time to File <i>Reply Brief</i> by U.S. Department of Homeland Security Transportation Security Administration.(Cerrone, Michael) (Entered: 12/27/2018) |
| 12/27/2018 | <u>25</u> | Certificate of Service for <u>24</u> Motion for Extension of Time Modified to correct document title on 12/28/2018 (KM). (Entered: 12/27/2018) |
| 12/28/2018 | | E-Filing Notification: <u>25</u> MOTION for Extension of Time to File -- <i>Certificate of Service Incorrect event used to electronically file document. For future reference, use (Certificate of Service found under Service of Process) event. No action required.</i> (KM) (Entered: 12/28/2018) |
| 01/07/2019 | <u>26</u> | TEXT ORDER. Due to lapse in funding to the United States Department of Justice a general stay order has been entered in all civil cases in which the appearance of the United States Attorney's Office for the Western District of New York has been entered. Upon the restoration of Department of Justice funding, Defendant's counsel shall contact the court and a date to file Defendant's reply shall be established. Issued by Hon. Leslie G. Foschio on 1/7/2019. (SDW)(Copy of Text Order and General Order mailed to Pro Se Plaintiff) (Entered: 01/07/2019) |
| 01/29/2019 | <u>27</u> | MOTION for an order setting deadlines by U.S. Department of Homeland Security Transportation Security Administration. (Attachments: # <u>1</u> Declaration)(Cerrone, Michael) Modified on 1/30/2019 to add relief description (SG). (Entered: 01/29/2019) |
| 02/04/2019 | 28 | TEXT ORDER granting <u>27</u> Motion to set deadlines. Defendant's due date for Defendant's reply memorandum of law in support of its summary judgment motion <u>13</u> and its memorandum of law in opposition to Plaintiff's motion for summary judgment <u>22</u> is 3/31/2019. Issued by Hon. Leslie G. Foschio on 2/4/2019. (SDW)(Copy of Text Order mailed to Pro Se Plaintiff at 57 Birkdale Road, Cheektowaga, New York) (Entered: 02/04/2019) |